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January 22, 2013

By ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: TX Mobile, LLC Compliance Plan Meeting Notice of Ex Parte
Presentation; WC Docket Nos. 09-197, 11-42

Dear Secretary Dortch:

On Friday, January 18, 2013, Hung Do of TX Mobile, LLC ("TX Mobile") and John J. Heitmann and Denise N. Smith of Kelley Drye & Warren, LLP met with Michelle Schaefer and Alexander Minard of the Wireline Competition Bureau ("Bureau") to discuss TX Mobile's Compliance Plan filed October 18, 2012 in the above-referenced dockets. At the meeting, TX Mobile provided the Bureau staff with the enclosed presentation introducing the Company and its management, the Company's Lifeline product offerings and its approach to compliance with the requirements of the *Lifeline Reform Order*.¹ TX Mobile will be filing a revised Compliance Plan in the near future.

This letter and presentation are being filed electronically for inclusion in the public record of the above-referenced proceedings. Please feel free to contact the undersigned with any questions.

¹ See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, 27 FCC Rcd 6656 (2012).

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Respectfully submitted,



John J. Heitmann
Denise N. Smith

Counsel to TX Mobile, LLC

Enclosures

cc: Michelle Schaefer (via e-mail)
Alexander Minard (via e-mail)

TX Mobile, LLC

FCC Compliance Plan Meeting

January 18, 2013

Agenda

- Introduction to TX Mobile, LLC
- TX Mobile Lifeline Product Offerings
- Marketing/Advertising Compliance
- End User Enrollment
- Annual Certification
- Procedures for Addressing Waste, Fraud and Abuse
- Questions

TX Mobile, LLC - Overview

- TX Mobile is a Texas limited liability company
- TX Mobile intends to provide prepaid, wireless Lifeline services in Texas and federal jurisdiction states
 - Company has filed for ETC designation in the federal jurisdiction states
 - TX Mobile is not designated as an ETC in any states and has not been denied ETC designation by any state

TX Mobile Key Personnel

TX Mobile's key personnel have significant corporate management and financial oversight experience and expertise:

- Hung Do, President, TX Mobile
 - Oversees all aspects of a successful wireless handset company
 - Experienced in corporate management and strategic planning as President/CEO of HTH Communications, LLC
- Thuy Nguyen, Manager, TX Mobile
 - Significant experience in corporate financial oversight as Controller of HTH Communications, LLC
- Hien Vo, COO, HTH Communications, LLC
 - Manages operation of high-volume cellular handset business
 - Previously served as COO of Pinnacle Wireless

TX Mobile's Financial and Technical Capabilities

- TX Mobile is financially and technically capable of providing the supported Lifeline services
 - TX Mobile will derive revenues from its non-Lifeline wireless services beyond its free wireless Lifeline offerings
 - TX Mobile has access to the financial resources and management expertise of its affiliate, HTH Communications, LLC, an experienced and successful provider of wireless handsets and logistic fulfillment of wireless products
 - TX Mobile will partner with established industry vendors, i.e., CGM or BeQuick, as necessary for additional technical expertise
 - TX Mobile will use Reunion as an intermediary for access to the Sprint and Verizon networks

TX Mobile and its Proposed Lifeline Product Offerings

Plan Description	150 Anytime Minutes Plan	250 Anytime Minutes Plan
Price to Lifeline Subscriber	FREE	FREE
Number of Free Minutes	150	250
Rollover	Yes	No
Text Messaging	Yes, 1 text per airtime minute	Yes, 1 text per airtime minute
Handset	FREE	FREE
911 Calls	FREE	FREE
Domestic Long Distance	FREE	FREE

Retail Discount Plan

- Permits Lifeline subscribers to choose any monthly retail plan at a \$15.00 discount

TX Mobile and its Lifeline Product Offerings

Public Safety and 911/E911 Access:

- TX Mobile will ensure that all wireless handsets used in connection with its Lifeline service are E911-compliant
- TX Mobile provides its Lifeline subscribers with access to 911 and E911 services:
 - Through the services of Sprint and Verizon Wireless
 - TX Mobile will seek direct relationships but plans to use Reunion until such direct relationships are established
 - Regardless of activation status or number of minutes remaining
 - Immediately upon initiation of service

Marketing and Advertising Compliance

- In compliance with the marketing and disclosure requirements, all of TX Mobile's marketing materials will include:
 - Disclosure of company's name as the ETC
 - Clear and easily understood language disclosing the following:
 - This is a Lifeline service
 - Only eligible consumers may enroll in the program
 - Qualifying documentation is necessary for enrollment
 - The program is limited to one benefit per household, consisting of either wireline or wireless service
 - Lifeline service is non-transferable
- TX Mobile's Lifeline form also will state that Lifeline is a government benefit program and consumers who willfully make false statements in order to obtain the benefit can be punished by fine or imprisonment or can be barred from the program

End User Enrollment

- TX Mobile will educate customers about the Lifeline program directly on sales calls, in advertising, at in-person events and on the TX Mobile website
- In Texas, Lifeline subscribers will be enrolled via Solix, the Texas Lifeline administrator
 - TX Mobile will rely on Solix to determine subscriber eligibility and collect required subscriber certifications
- In states without designated Lifeline administrators, TX Mobile will enroll applicants at in-person events, online and by telephone

End User Enrollment

- In-person enrollment:
 - Customer provides completed Lifeline enrollment form, qualifying documents; and proof of identity
 - If the form and documents are complete then TX Mobile's employees conduct a database check for duplicate enrollment. If no duplicate is found then the customer is enrolled and provided a partially-activated handset
 - TX Mobile's employees confirm the applicant's household is not currently receiving a Lifeline benefit
 - Employees specifically mention other providers of Lifeline services
 - The applicant certifies under penalty of perjury
 - Subscribers must activate the phone by making an outbound call

End User Enrollment

- Phone and Internet Enrollment:
 - TX Mobile's employees explain the Lifeline program to the customer and a Lifeline enrollment form is mailed or e-mailed to the customer
 - After receiving and verifying the completed Lifeline enrollment form, qualifying documents and proof of identity, TX Mobile conducts a database check for duplicate enrollment
 - If no duplicate is found then the customer is enrolled and a partially-activated handset is mailed to the customer
 - Subscribers must activate the phone by making an outbound call to TX Mobile's customer service representative that collects identifying information from the subscriber before activating the phone

Annual Re-Certification

- In Texas, TX Mobile will rely on Solix to conduct annual eligibility re-certifications
 - TX Mobile will de-enroll a subscriber and cease seeking reimbursement if notified by Solix that a subscriber no longer qualifies for Lifeline
- In states without USF administrators, TX Mobile will recertify the eligibility of all its Lifeline customers each year
 - TX Mobile will use a variety of methods including mail, telephone and online re-certifications
 - All customers who fail to respond to a written recertification notice within 30 days will be de-enrolled from the Lifeline program
- TX Mobile also will follow any state-specific recertification requirements

Procedures for Addressing Waste, Fraud and Abuse

- TX Mobile will ensure compliance with all policies and procedures surrounding its Lifeline program
 - Marketing/advertising
 - End user enrollment and recertification
 - Customer non-usage and de-enrollment
 - Training
 - Conducts training sessions for employees and agents regarding changes to the Lifeline program and programs that qualify a customer for Lifeline service

Questions?

Thank You